



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,838	07/13/2000	Michael S. Battaglia	2694-200	6798

23117 7590 06/02/2005

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,838

Applicant(s)

BATTAGLIA ET AL.

Examiner

Vincent F. Boccio

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on IDS 1/7/05 with Fee & Amend of 12/16/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 94-132 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 94-132 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/7/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2616

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Response to Arguments

1. Applicant's arguments with respect to cancelled claims 1-93 and newly presented claims 94-132 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 94-106, 109-120, 122-132 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM Palm PC 110 Tech Spec. & Press release & "Japanese Document Summaries PC 110" and the Picture of the IBM Palm PC (1 page), used together as one reference.

Regarding claim 94, the IBM palm 110 discloses many features claimed and anticipates,

Art Unit: 2616

- a repository device, which can be associated with other PC of any kind, a camera, wherein the PALM pilot reads on a size which can be held in a user's palm, being portable, hand held (see Picture of Palm Pilot and JP Summaries);
- having an LCD for displaying images (see JP Summaries, color LCD);
- a battery and storage (Tech. Spec. 630 w/battery and hard drive);
- a data processing circuit for transferring data to and from the device (Summaries, runs windows, therefore, a CPU, "Update and exchange data with Office PC", or any other type of PC, deemed obvious);
- a user interface (keyboard);
- at least one port to receive digital camera image data (see ports Tech. Spec., also Summaries page 1, CF flash camera usage).

The Palm PC 110 spec. indicates that the Hard Disk is 260 MB and fails to anticipate at least one gigabyte byte of storage.

The examiner takes official notice that larger drives are obvious to those skilled in the art, therefore, it would have been obvious to one skilled in the art to modify the Pilot 110 and to utilize at least one gigabyte for storage or more, as more storage allows for more offloading of images or other data.

Regarding claim 95, PC 110, also meets the limitations of mass storage for storing audio and image (see Summaries "MIDI device" and "digital camera").

Regarding claim 96, PC 110, provides for a flash memory reader (Tech. Spec. "Flash memory", therefore a reader, also see Summaries "Smart Pico Flash or CF flash").

Regarding claim 97, PC 110, is met (see Summaries, Item 2, 8th Para, camera card inserted).

Art Unit: 2616

Regarding claim 98, PC 110, fails to particularly mention images from a camera or JPEG images.

The examiner takes official notice that JPEG images from digital cameras are well known, therefore, it would have been obvious to modify the Palm 110 to receive compressed images being JPEG deemed being one of the most known compression of still images to those skilled in the art.

Regarding claim 99, PC 110, in the summaries the unit a TV card, wherein the LCD is a small form factor TV, therefore, can handle video and mentions an external display port, therefore, meeting the limitation of an external video device.

Regarding claim 100, PC 110, further meets the limitation of digital image data handling moving image data and the mass storage and displaying TV video on the display, but fails to disclose recording the mass storage video.

The examiner deems that it is inherent if not obvious that the hard disk can store video, but, for the record the examiner takes official notice that it would have been obvious to those skilled in the art to perform or allow recording of video onto a hard drive for offloading, therefore, it would have obvious to those skilled in the art to provide the ability to record to the hard drive or mass storage, video.

Regarding claim 101, PC 110, anticipates too be connected to at least one other or further device or devices, as intended (summaries section 2, Para 8).

Regarding claim 102, PC 110, fails to disclose the further device being a camcorder.

The examiner takes official notice that a camcorder being a source of video, is well known and therefore, since the PC 110, can handle video, it would have further been obvious to adapt the unit, to offload video from a camcorder or other video devices to the hard drive.

Regarding claim 103, connectable to a digital camera (summaries section 2, "camera card").

Regarding claim 104, at least one port for camera and at least to couple to a user's PC card, wherein these ports are the same, the examiner takes official notice and render obvious that the PCMCIA obviously well known to allow for connecting cameras

Art Unit: 2616

or any other device with the same type of interface, including a PC of any kind.

Regarding claim 105, PC 110, fails to particularly disclose allowing for reformatting of a memory card into a state it can be reused or allowing for erasing of images from the PC 110.

The examiner takes official notice since the PC 110, is a PC, it is deemed obvious to allow for loading, as well as unloading images, to also allow for erasing images to re-use any type reusable memory and even formatting since it is a PC, as is obvious to those skilled in the art.

Claims 106 and 109-111 have been analyzed and discussed with respect to the claims above.

Regarding claim 112, PC 110, is deemed to be required to have a compatibility of the file system associated with the mass storage and another PC connected or transferring would not be possible (summaries page 2, "exchange data with the office PC").

Regarding claims 113-114, PC 110, inherently provides for circuitry to generate time related signals to offload from a device, or to clock the data through, but, fails to particularly disclose the repository device for storing time related data associated with picture image data, wherein the display is operable to display the time related data.

The examiner takes official notice that cameras can provide time data associated with images, such as picture numbers or even a time codes, wherein it is deemed obvious that the offloading device, would be adapted to receive the data and even display this data, on a display the data with images for identification, or even used to search desired images, therefore, it would have been obvious to those skilled in the art to utilize time related data from a camera to the system to identify and even search or locate images.

Regarding claims 129 and 130, PC 110, fails to particularly disclose receiving commands from an external bus coupled to a further electronic device, wherein when coupled powering up in response to bus activity.

The examiner takes official notice that connecting to a camera through a bus for example, to the PC 110, detecting the camera, wherein upon detection of a connection or activity, to trigger the power of the device is known in the art, therefore, it would have been obvious to through a bus to detect and

Art Unit: 2616

control an external device such as camera to trigger the device in response to either connection or activity, being well known in the art, providing auto detection and power upon a connection or activity, as is well known in the art.

Claims 116-120 and 122-128, 131-132 are analyzed and discussed with respect to the claims above.

3. Claims 107-108, 121 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM Palm PC 110 Tech Spec. & Press release & "Japanese Document Summaries PC 110" and the Picture of the IBM Palm Pilot (1 page), used together as one reference in view of Yamauchi et al. (US 6,020,982).

Claim 107, PC 110 provides for a flash memory, but, fails to mention user initiated through a user interface key to initiating predetermined operations relating to a flash memory module.

Yamauchi teaches a user interface key to initiating predetermined operations relating to various memory elements (Fig. 113, "automatic execution", screen).

Regarding claim 108 in view of 107, the user is provided with a keyboard and GUI interface screen.

Claims 121 is analyzed and discussed with respect to the claims above.

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2616

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Fax Information


Any response to this action should be faxed to:

(703) 872-9306, (for communication intended for entry)

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
5/31/05


VINCENT BOCCIO
PRIMARY EXAMINER